

Before the  
**Federal Communications Commission**  
 Washington, D.C. 20554

In the Matter of  
 Amendment of Section 73.202(b)  
 (Table of Allotments)  
 FM Broadcast Stations  
 WYNZ-FM, Westbrook, Maine

) MM Docket No. \_\_\_\_\_  
 ) RM- \_\_\_\_\_

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TO: Chief, Mass Media Bureau  
 Policy and Rules Division  
 Allocations Branch

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

**PETITION FOR RULE MAKING**

Buckley Broadcasting Corporation of Maine ("Buckley"),  
 by its attorneys and pursuant to Section 1.420(g) of the  
 Commission's Rules hereby respectfully petitions the  
 Commission to substitute FM Channel 265B1 for FM Channel  
 265A at Westbrook, Maine, and to modify the license of WYNZ-  
 FM for operation on the upgraded channel. In support  
 whereof, the following is shown:

Buckley is licensee of WYNZ-FM, Westbrook, Maine, which  
 operates on FM Channel 265A. Attached hereto is an  
 Engineering Statement prepared by Gallagher & Associates  
 which demonstrates that Channel 265B1 can be substituted for  
 Channel 265A at Westbrook, Maine, without requiring any  
 other changes in the Table of Allotments. Substitution of  
 channels would serve the public interest by improving WYNZ-  
 FM's coverage area. The Engineering Statement reveals that  
 WYNZ-FM is the only station licensed to Westbrook, a city of

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16,121 persons.<sup>1</sup> Operating with maximum Class B1 facilities from the assumed reference point,<sup>2</sup> the WYNZ-FM improved 1 mV/m (60 dBu) contour would encompass 306,612 persons, for a gain of 140,103 persons over the population presently within the 1 mV/m contour of the WYNZ-FM licensed facility.<sup>3</sup>

Buckley represents that if the Commission substitutes Channel 265B1 for Channel 265A at Westbrook, and modifies the license of WYNZ-FM to operate on the higher class channel, Buckley will promptly apply for a construction permit for the improved facilities, and upon grant of the construction permit will promptly construct the improved facilities thereon. On May 4, 1993, an application (File No. BALH-930504GF) was filed seeking consent to assign the license of WYNZ-FM to Saga Communications of New England, Inc. ("Saga"). Undersigned counsel has been authorized to represent on behalf of Saga that if the upgrade of WYNZ-FM occurs after Saga consummates the acquisition of WYNZ-FM, Saga will promptly apply for a construction permit for WYNZ-FM as a Class B1 facility, and upon grant thereof, Saga will construct the improved facilities.

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<sup>1</sup> 1990 Census.

<sup>2</sup> North latitude 43°42'15", West longitude 070°06'00".

<sup>3</sup> This does not take into consideration the increased population expected to receive service from WYNZ-FM if the Commission grants Buckley's application (File No. BPH-930512ID) seeking a construction permit to increase WYNZ-FM's facilities to 6kW effective radiated power.

WHEREFORE, in light of the foregoing, Buckley respectfully requests the Commission to substitute Channel 265B1 for Channel 265A at Westbrook, Maine, and to modify the license of WYNZ-FM for operation on Channel 265B1.

Respectfully submitted,

**BUCKLEY BROADCASTING  
CORPORATION OF MAINE**

By:   
Martin R. Leader  
Its Attorney

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June 9, 1993

# GALLAGHER & ASSOCIATES

CONSULTING RADIO ENGINEERS

HAGERSTOWN, MD

ORIGINAL

ENGINEERING STATEMENT  
IN SUPPORT OF A  
PETITION FOR RULEMAKING  
TO MAKE CHANGES TO THE  
FM CHANNEL ALLOCATED TO  
WESTBROOK, MAINE

This engineering statement was prepared on behalf of Buckley Broadcasting Corporation of Maine, to accompany a Petition for Rulemaking to amend the Table of FM Channel Allotments, Section 73.202(b) of the FCC Rules, to change the channel allocated to Westbrook, Maine, from channel 265A to channel 265B1, and to reserve that channel for WYNZ-FM, to permit upgrade of WYNZ-FM from class A to class B1. This channel change can be made without requiring any other changes in the Table of Allotments.

The 1990 Census reports the population of Westbrook, Maine, as 16,121 persons, and is located in Cumberland County (pop. 243,135). There are no other channels allocated for use at Westbrook, and there are no AM or FM stations presently assigned.

Figure 1, attached hereto, is a listing of the nearest stations and/or assignments on channels pertinent to the use of Channel 265B1 at Westbrook. The geographic coordinates used for compiling Figure 1 are the coordinates of a reference point at Latitude 43°42'15", Longitude 70°06'00". The geographical coordinates for the city of Westbrook as listed in the National Atlas is Latitude 43°40'37", Longitude 70°22'18". The reference point listed above is located 22 kilometers east (82° True) of Westbrook. The assignment of Channel 265B1 to Westbrook would thus have to be made with the provision that the transmitting site be selected at least 22 kilometers east of the Westbrook reference point as listed in the National Atlas. The area in the vicinity of the reference point described above includes several islands off the coast of Portland, Maine, and the reference point itself is on an inhabited island.

Operating with maximum Class B1 facilities from an assumed site at the specified reference point, the WYNZ-FM 1 mV/m (60 dBu) contour would

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Page 2

encompass a population of 306,612 persons, for a gain of 140,103 persons over that presently within the 1 mV/m contour of the WYNZ-FM licensed facility.

I, Charles I. Gallagher, hereby declare under penalty of perjury that this engineering statement was prepared by me or under my direct supervision, I further state that I am a Consulting Radio Engineer, and a Registered Professional Engineer in the State of Maryland, No. 11415, that my qualifications are a matter of record with the Federal Communications Commission, having been presented on previous occasions. All data and statements contained herein are true and correct to the best of my knowledge and belief.



Charles I. Gallagher

June 3, 1993

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Database: FCC 4/93

FIGURE 1

## COMPUTERIZED SEPARATIONS STUDY

WYNZ-FM, WESTBROOK, MAINE

Reference Point: 43° 42' 15" 70° 06' 00"

BASED ON SEPARATIONS IN SECTION 73.207

Channel No. 265 as a Class B1

CALL	LOCATION	STATUS	FILE NUMBER	CHANNEL	ERP	HAAT	AZM.	DIST.	REQ'D	CLEAR
WYNZFM	WESTBROOK, ME	LIC c	BLH-7352	265A	3.00	69	245.9	14.6	143	-128.4
WGIRFM	MANCHESTER, NH	LIC	BLH-910718KC	266B	11.5	313	236.9	145.0	145	0.0
WKCG	AUGUSTA, ME	LIC	BLH-820726AP	267B	50	98	17.4	71.1	71	0.1
WTBM	MEXICO, ME	LIC	BLH-880928KA	264A	.180	393	336.6	106.5	96	10.5
WHEB	PORTSMOUTH, NH	LIC	BLH-910307KE	262B	50	140	217.0	90.3	71	19.3
WMEA	PORTLAND, ME	LIC	BLH-1242	211C	49	585	289.5	52.2	31	21.2
WZLX	BOSTON, MA	LIC	BLH-911018KF	264B	21.5	235	208.3	170.7	145	25.7

Note: Distances are in kilometres

This report contains information compiled from a commercial data base service. Gallagher & Associates believes the service to be an accurate and current source of information. However, Gallagher & Associates shall not assume responsibility for erroneous or incomplete information in this report.